

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

JULIO TOLEDO, JOSH C. HAYGOOD, RAFAEL VEGA,  
GREG MCCAIN, MARTIN SANTA, DAVID FRANCO, JUAN  
R. ESTRADA, KEVIN BELL, HOWARD LOCKWOOD,  
JASON E. LARRIER, TOMMIE O. HART, ANGEL PEREZ,  
PEDRO R. MENDEZ, LEONARD MATOS, JR., and  
HERMINIO RIVAS, JR.,

Plaintiffs,

v.

IBPO, LOCAL 364,

Defendant,

v.

SPRINGFIELD POLICE DEPARTMENT,

Defendant.

---

C.A. No. 04-30163-MAP

**PLAINTIFFS' ASSENTED-TO MOTION FOR A FURTHER  
THREE-MONTH EXTENSION TO RESPOND TO MOTIONS TO DISMISS**

The plaintiffs move for a further extension of three months (*i.e.*, until August 10, 2005) to respond to the motions to dismiss filed by the defendants. In support thereof, the plaintiffs state:

1. On February 22, 2005, the undersigned attorneys from Wilmer Cutler Pickering Hale and Dorr LLP and the Lawyers' Committee for Civil Rights Under Law of the Boston Bar Association entered their appearance on behalf of the plaintiffs. Since that time, counsel has been collecting and analyzing information necessary to respond to the legal and factual arguments presented by the defendants.

2. On April 11, 2005, the plaintiffs asked to meet with the defendants to discuss the issues raised in the complaint and the possibility of resolving this matter. On May 4, 2005, several of the named plaintiffs and plaintiffs' counsel met with counsel for the defendant City of Springfield (the "City") and the defendant IBPO, Local 364, for more than one hour. During that meeting, the parties discussed, among other issues, resolution of the present litigation, minority representation in the Springfield Police Department, and the City's compliance with the *Castro* Consent Decree. The City and the plaintiffs agreed to attempt to work together to address several of the issues discussed. Accordingly, the plaintiffs require an additional three months to work with the defendants on the issues discussed during the May 4 meeting, to have additional meetings with the defendants, and if necessary, to respond to the motions to dismiss filed by the defendants.

2. It is believed that the requested extension will cause no prejudice or harm to the defendants.

3. The defendants have assented to this motion.

WHEREFORE, the plaintiffs respectfully request that the Court grant their motion for an extension until August 10, 2005 to respond to the motions to dismiss filed by the defendants.

JULIO TOLEDO, JOSH C. HAYGOOD, RAFAEL VEGA, GREG MCCAIN, MARTIN SANTA, DAVID FRANCO, JUAN R. ESTRADA, KEVIN BELL, HOWARD LOCKWOOD, JASON E. LARRIER, TOMMIE O. HART, ANGEL PEREZ, PEDRO R. MENDEZ, LEONARD MATOS, JR., and HERMINIO RIVAS, JR.,

By their attorneys,

/s/ Christopher R. Noyes  
Mark D. Selwyn (BBO #565595)  
Jennifer L. Carpenter (BBO #647214)  
Christopher R. Noyes (BBO #654324)  
christopher.noyes@wilmerhale.com  
Wilmer Cutler Pickering Hale and Dorr LLP  
60 State Street  
Boston, Massachusetts 02109  
(617) 526-6000

Nadine Cohen (BBO #090040)  
Lawyers' Committee For Civil Rights  
Under Law of the Boston Bar Association  
294 Washington Street, Suite 443  
Boston, Massachusetts 02108  
(617) 482-1145

Tammy Sharif (BBO #659134)  
Law Firm of Tammy Sharif  
The Walker Building  
1242 Main Street, Suite 314  
Springfield, Massachusetts 01103  
413-439-0200

Dated: May 10, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served on the following attorneys of record for each party by first class mail and/or fax:

Kevin B. Coyle, Esq.  
Coyle, Dunbar, Geoffrion & Ward  
935 Main Street  
Springfield, MA 01103

Edward M. Pikula, Esq.  
Peter M. Murphy, Esq.  
Law Department, City of Springfield  
36 Court Street  
Springfield, MA 01103

/s/ Christopher R. Noyes  
Christopher R. Noyes